

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RODRICK MAURICE BRAYBOY,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 23-CV-4975
	:	
GOVERNMENT JURISPRUDENCE	:	
OFFICE, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 7th day of March, 2024, upon consideration of Rodrick Maurice Brayboy's Motion to Proceed In Forma Pauperis (ECF Nos. 1, 6), Prisoner Trust Fund Account Statement (ECF No. 5), and pro se Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed in forma pauperis is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Rodrick Maurice Brayboy, #KD-1877, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent of SCI Mahanoy or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Brayboy's inmate account; or (b) the average monthly balance in Brayboy's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Brayboy's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Brayboy's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI Mahanoy.
4. The Complaint is **DEEMED** filed.
5. Brayboy's Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.
6. Brayboy's Motion to Amend Proceedings (ECF No. 11) is **GRANTED**.
7. Brayboy's Request for Service of Complaint (ECF No. 9) and his Motion for Summary Judgment (ECF No. 10) and are **DENIED AS MOOT**.
8. The Clerk of Court shall mark this case closed.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, C.J.